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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CRAIG ALLEN MORGENSTERN,

Defendant.

2:14-CR-161-WFN

THIRD SUPERSEDING
INDICTMENT

Vio: 18 U.S.C. § 2241(c)
Aggravated Sexual Abuse of a
Child (Counts 1, 4, 6, 8, 10, 12,
14, 16, 18, 20, 22, 24, 30)

18 U.S.C. § 2251(a)
Production or Attempted
Production of Child
Pornography (Counts 2, 3, 5, 7,
9, 11, 13, 15, 17, 19, 21, 23, 25,
27, 29, 31-33)

18 U.S.C. §§ 2423(a), 2427
Transportation with Intent to
Engage in Sexual Contact with
a Child (Counts 26, 28)

18 U.S.C. § 2252A(a)(2)
Receipt of Child Pornography
(Count 34)

)
) 18 U.S.C. § 2252A(a)(5)(B)
) Possession of Child
) Pornography (Count 35)
)
) 18 U.S.C. § 2253
) Notice of Forfeiture
) Allegations

The Grand Jury Charges:

COUNT 1

In or about September 2008, in the Eastern District of Washington and Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross a State line with the intent to engage in a sexual act, as defined in 18 U.S.C. § 2246(2), with a minor, "Victim A", who had attained the age of 12 years but had not attained the age of 16 years, and who is at least four years younger than Defendant, CRAIG ALLEN MORGENSTERN, all in violation of 18 U.S.C. § 2241(c).

COUNT 2

On or about September 30, 2008, in the Eastern District of Washington and in Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and coerce a minor, "Victim A", who had not attained the age of 18 years, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation, and lascivious exhibition of the genitals and pubic area), for the purpose of producing a visual depiction of such conduct which visual depiction was produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depiction was transported across State

1 lines from Meridian, Mississippi to the Eastern District of Washington, all in
2 violation of 18 U.S.C. § 2251(a) and (e).

3 **COUNT 3**

4 On or about October 7, 2008, through on or about October 8, 2008, in the
5 Eastern District of Washington and in Meridian, Mississippi, Defendant,
6 CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce,
7 entice, and coerce a minor, "Victim A", who had not attained the age of 18 years,
8 to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to
9 wit: oral to genital sexual intercourse, masturbation, and lascivious exhibition of the
10 genitals and pubic area), for the purpose of producing a visual depiction of such
11 conduct, which visual depiction was produced using materials that have been
12 mailed, shipped, and transported in and affecting interstate and foreign commerce
13 by any means, including by computer, and which visual depiction was transported
14 across State lines from Meridian, Mississippi to the Eastern District of Washington,
15 all in violation of 18 U.S.C. § 2251(a) and (e).

16 **COUNT 4**

17 In or about October 2008, in the Eastern District of Washington and
18 Tennessee, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross a
19 State line with the intent to engage in a sexual act, as defined in 18 U.S.C.
20 § 2246(2), with a minor, "Victim A", who had attained the age of 12 years but
21 had not attained the age of 16 years, and who is at least four years younger than
22 Defendant, CRAIG ALLEN MORGENSTERN, all in violation of 18 U.S.C.
23 § 2241(c).

24 **COUNT 5**

25 On or about October 17, 2008, through on or about October 20, 2008, in
26 the Eastern District of Washington and in Tennessee, Defendant, CRAIG
27 ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice,
28

1 and coerce a minor, "Victim A", who had not attained the age of 18 years, to
2 engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit:
3 oral to genital sexual intercourse, masturbation, and lascivious exhibition of the
4 genitals and pubic area), for the purpose of producing a visual depiction of such
5 conduct, which visual depiction was produced using materials that have been
6 mailed, shipped, and transported in and affecting interstate and foreign commerce
7 by any means, including by computer, and which visual depiction was transported
8 across State lines from Tennessee to the Eastern District of Washington, all in
9 violation of 18 U.S.C. § 2251(a) and (e).

10 **COUNT 6**

11 In or about December 2008, in the Eastern District of Washington and
12 Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did
13 knowingly cross a State line with the intent to engage in a sexual act, as defined
14 in 18 U.S.C. § 2246(2), with a minor, "Victim A", who had attained the age of 12
15 years but had not attained the age of 16 years, and who is at least four years younger
16 than Defendant, CRAIG ALLEN MORGENSTERN, all in violation of 18 U.S.C. §
17 2241(c).

18 **COUNT 7**

19 On or about December 6, 2008, through on or about December 7, 2008, the
20 Eastern District of Washington and in Meridian, Mississippi, Defendant,
21 CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce,
22 entice, and coerce a minor, "Victim A", who had not attained the age of 18 years,
23 to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to
24 wit: oral to genital sexual intercourse, masturbation, and lascivious exhibition of the
25 genitals and pubic area), for the purpose of producing a visual depiction of such
26 conduct, which visual depiction was produced using materials that have been
27 mailed, shipped, and transported in and affecting interstate and foreign commerce
28

1 by any means, including by computer, and which visual depiction was transported
2 across State lines from Meridian, Mississippi to the Eastern District of Washington,
3 all in violation of 18 U.S.C. § 2251(a) and (e).

4 **COUNT 8**

5 In or about November 2008, in the Eastern District of Washington and
6 Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did
7 knowingly cross a State line with the intent to engage in a sexual act, as defined
8 in 18 U.S.C. § 2246(2), with a minor, "Victim F", who had attained the age of 12
9 years but had not attained the age of 16 years, and who is at least four years younger
10 than Defendant, CRAIG ALLEN MORGENSTERN, all in violation of 18 U.S.C.
11 § 2241(c).

12 **COUNT 9**

13 On or about December 6, 2008, through on or about December 7, 2008,
14 the Eastern District of Washington and in Meridian, Mississippi, Defendant,
15 CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce,
16 entice, and coerce a minor, "Victim F", who had not attained the age of 18 years, to
17 engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit:
18 oral to genital sexual intercourse, masturbation, and lascivious exhibition of the
19 genitals and pubic area), for the purpose of producing a visual depiction of such
20 conduct, which visual depiction was produced using materials that have been
21 mailed, shipped, and transported in and affecting interstate and foreign commerce
22 by any means, including by computer, and which visual depiction was transported
23 across State lines from Meridian, Mississippi to the Eastern District of Washington,
24 all in violation of 18 U.S.C. § 2251(a) and (e).

25 **COUNT 10**

26 From in about January 2009, and continuing until from in or about February
27 2009, in the Eastern District of Washington and Meridian, Mississippi,
28

1 Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross a State line
2 with the intent to engage in a sexual act, as defined in 18 U.S.C. § 2246(2), with a
3 minor, "Victim F", who had attained the age of 12 years but had not attained the
4 age of 16 years, and who is at least four years younger than Defendant, CRAIG
5 ALLEN MORGENSTERN, all in violation of 18 U.S.C. § 2241(c).

6 **COUNT 11**

7 On or about February 1, 2009, in the Eastern District of Washington and in
8 Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did
9 knowingly employ, use, persuade, induce, entice, and coerce a minor, "Victim F",
10 who had not attained the age of 18 years, to engage in sexually explicit conduct,
11 as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse,
12 masturbation, and lascivious exhibition of the genitals and pubic area), for the
13 purpose of producing a visual depiction of such conduct, which visual depiction
14 was produced using materials that have been mailed, shipped, and transported in
15 and affecting interstate and foreign commerce by any means, including by
16 computer, and which visual depiction was transported across State lines from
17 Meridian, Mississippi to the Eastern District of Washington, all in violation of 18
18 U.S.C. § 2251(a) and (e).

19 **COUNT 12**

20 In or about May 2009, in the Eastern District of Washington and Meridian,
21 Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross
22 a State line with the intent to engage in a sexual act, as defined in 18 U.S.C.
23 § 2246(2), with a minor, "Victim A", who had attained the age of 12 years but
24 had not attained the age of 16 years, and who is at least four years younger than
25 Defendant, CRAIG ALLEN MORGENSTERN, all in violation of 18 U.S.C. §
26 2241(c).

COUNT 13

On or about May 14, 2009, through on or about May 15, 2009, in the Eastern District of Washington and in Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and coerce a minor, "Victim A", who had not attained the age of 18 years, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation, and lascivious exhibition of the genitals and pubic area), for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depiction was transported across State lines from Meridian, Mississippi to the Eastern District of Washington, all in violation of 18 U.S.C. § 2251(a) and (e).

COUNT 14

In or about June 2009, in the Eastern District of Washington and Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross a State line with the intent to engage in a sexual act, as defined in 18 U.S.C. § 2246(2), with a minor, "Victim A", who had attained the age of 12 years but had not attained the age of 16 years, and who is at least four years younger than Defendant, CRAIG ALLEN MORGENSTERN, all in violation of 18 U.S.C. § 2241(c).

COUNT 15

On or about June 21, 2009, in the Eastern District of Washington and in Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and coerce a minor, "Victim A", who had not attained the age of 18 years, to engage in sexually explicit, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation,

1 and lascivious exhibition of the genitals and pubic area), for the purpose of
2 producing a visual depiction of such conduct, which visual depiction was produced
3 using materials that have been mailed, shipped, and transported in and affecting
4 interstate and foreign commerce by any means, including by computer, and which
5 visual depiction was transported across State lines from Meridian, Mississippi to
6 the Eastern District of Washington, all in violation of 18 U.S.C. § 2251(a) and (e).

7 **COUNT 16**

8 In or about August 2009 and continuing to in or about September 2009, in
9 the Eastern District of Washington and Meridian, Mississippi, Defendant,
10 CRAIG ALLEN MORGENSTERN, did knowingly cross a State line with the
11 intent to engage in a sexual act, as defined in 18 U.S.C. § 2246(2), with a minor,
12 “Victim A”, who had attained the age of 12 years but had not attained the age of
13 16 years, and who is at least four years younger than Defendant, CRAIG ALLEN
14 MORGENSTERN, all in violation of 18 U.S.C. § 2241(c).

15 **COUNT 17**

16 On or about September 11, 2009, in the Eastern District of Washington
17 and in Meridian, Mississippi, Defendant, CRAIG ALLEN MORGENSTERN,
18 did knowingly employ, use, persuade, induce, entice, and coerce a minor, “Victim
19 A”, who had not attained the age of 18 years, to engage in sexually explicit
20 conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual
21 intercourse, masturbation, and lascivious exhibition of the genitals and pubic area),
22 for the purpose of producing a visual depiction of such conduct, which visual
23 depiction was produced using materials that have been mailed, shipped, and
24 transported in and affecting interstate and foreign commerce by any means,
25 including by computer, and which visual depiction was transported across State
26 lines from Meridian Mississippi to the Eastern District of Washington, all in
27 violation of 18 U.S.C. § 2251(a) and (e).
28

COUNT 18

From in or about April 2010, and continuing through in or about May 2010, in the Eastern District of Washington and Idaho, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross a State line with the intent to engage in a sexual act, as defined in 18 U.S.C. § 2246(2), with a minor, "Victim B", who had attained the age of 12 years but had not attained the age of 16 years, and who is at least four years younger than Defendant, CRAIG ALLEN MORGENSTERN, all in violation of 18 U.S.C. § 2241(c).

COUNT 19

On or about April 30, 2010, through on or about May 1, 2010, in the Eastern District of Washington and in Idaho, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and coerce a minor, "Victim B", who had not attained the age of 18 years, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation, and lascivious exhibition of the genitals and pubic area) for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depiction was transported across State lines from Idaho to the Eastern District of Washington, all in violation of 18 U.S.C. § 2251(a) and (e).

COUNT 20

From in or about April 2010, and continuing through in or about May 2010, in the Eastern District of Washington and Idaho, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross a State line with the intent to engage in a sexual act, as defined in 18 U.S.C. § 2246(2), with a minor, "Victim

1 C", who had not attained the age of 12 years, all in violation of 18 U.S.C.
2 § 2241(c).

3 **COUNT 21**

4 On or about April 30, 2010, through on or about May 1, 2010, in the
5 Eastern District of Washington and in Idaho, Defendant, CRAIG ALLEN
6 MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and
7 coerce a minor, "Victim C", who had not attained the age of 18 years, to engage in
8 sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to
9 genital sexual intercourse, masturbation, and lascivious exhibition of the genitals and
10 pubic area), for the purpose of producing a visual depiction of such conduct, which
11 visual depiction was produced using materials that have been mailed, shipped, and
12 transported in and affecting interstate and foreign commerce by any means,
13 including by computer, and which visual depiction was transported across State
14 lines from Idaho to the Eastern District of Washington, all in violation of 18 U.S.C.
15 § 2251(a) and (e).

16 **COUNT 22**

17 From in or about April 2010, and continuing through in or about May
18 2010, in the Eastern District of Washington and Idaho, Defendant, CRAIG
19 ALLEN MORGENSTERN, did knowingly cross a State line with the intent to
20 engage in a sexual act, as defined in 18 U.S.C. § 2246(2), with a minor, "Victim
21 E", who had not attained the age of 12 years, all in violation of 18 U.S.C.
22 § 2241(c).

23 **COUNT 23**

24 On or about April 30, 2010, through on or about May 1, 2010, in the
25 Eastern District of Washington and in Idaho, Defendant, CRAIG ALLEN
26 MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and
27 coerce a minor, "Victim E", who had not attained the age of 18 years, to engage in
28

1 sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to
2 genital sexual intercourse, masturbation, and lascivious exhibition of the genitals and
3 pubic area), for the purpose of producing a visual depiction of such conduct, which
4 visual depiction was produced using materials that have been mailed, shipped, and
5 transported in and affecting interstate and foreign commerce by any means,
6 including by computer and which visual depiction was transported across State
7 lines from Idaho to the Eastern District of Washington, all in violation of 18 U.S.C.
8 § 2251(a) and (e).

9 **COUNT 24**

10 In or about November 2010, in the Eastern District of Washington and
11 Idaho, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross a State
12 line with the intent to engage in a sexual act, as defined in 18 U.S.C. § 2246(2),
13 with a minor who had not attained the age of 12 years, all in violation of 18 U.S.C.
14 § 2241(c).

15 **COUNT 25**

16 On or about November 21, 2010, in the Eastern District of Washington
17 and in Idaho, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly
18 employ, use, persuade, induce, entice, and coerce a minor who had not attained the
19 age of 18 years, to engage in sexually explicit conduct, as defined in 18 U.S.C.
20 § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation, and lascivious
21 exhibition of the genitals and pubic area), for the purpose of producing a visual
22 depiction of such conduct, which visual depiction was produced using materials that
23 have been mailed, shipped, and transported in and affecting interstate and foreign
24 commerce by any means, including by computer, and which visual depiction was
25 transported across State lines from Idaho to the Eastern District of Washington, all
26 in violation of 18 U.S.C. § 2251(a) and (e).

COUNT 26

In or about January 2011, in the Eastern District of Washington and Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly transport, "Victim A", a minor who had not attained the age of 18 years, in interstate commerce, with the intent that "Victim A" engage in sexual activity for which a person can be charged with a criminal offense, to wit: production of child pornography, as defined in 18 U.S.C. § 2256(8), all in violation of 18 U. S. C. § 2423(a) and § 2427.

COUNT 27

On or about January 7, 2011, through on or about January 10, 2011, in the Eastern District of Washington, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and coerce a minor, "Victim A", who had not attained the age of 18 years, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation, and lascivious exhibition of the genitals and pubic area), for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, all in violation of 18 U.S.C. § 2251(a) and (e).

COUNT 28

In or about June 2011, in the Eastern District of Washington and Mississippi, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly transport, "Victim A", a minor who had not attained the age of 18 years, in interstate commerce, with the intent that "Victim A" engage in sexual activity for which a person can be charged with a criminal offense, to wit: production of child pornography, as defined in 18 U.S.C. § 2256(8), all in violation of 18 U. S. C. § 2423(a) and § 2427.

COUNT 29

On or about July 5, 2011, in the Eastern District of Washington, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and coerce a minor, "Victim A", who had not attained the age of 18 years, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation, and lascivious exhibition of the genitals and pubic area), for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, all in violation of 18 U.S.C. § 2251(a) and (e).

COUNT 30

In or about October 2011, in the Eastern District of Washington and Idaho, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly cross a State line with the intent to engage in a sexual act, as define in 18 U.S.C. § 2246(2), with a minor, "Victim D", who has not attained the age of 12 years, all in violation of 18 U.S.C. § 2241(c).

COUNT 31

On or about October 1, 2011, to on or about October 2, 2011, in the Eastern District of Washington and in Idaho, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice, and coerce a minor, "Victim D", who had not attained the age of 18 years, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation, and lascivious exhibition of the genitals and pubic area), for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that have been mailed, shipped, and

1 transported in and affecting interstate and foreign commerce by any means,
2 including by computer, and which visual depiction was transported across State
3 lines from Idaho to the Eastern District of Washington, all in violation of 18 U.S.C.
4 § 2251(a) and (e).

5 **COUNT 32**

6 On or about October 3, 2014, and continuing through on or about
7 October 4, 2014, in the Eastern District of Washington, Defendant, CRAIG
8 ALLEN MORGENSTERN, did knowingly employ, use, persuade, induce, entice,
9 and coerce a minor, "Victim D", who had not attained the age of 18 years, to
10 engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A) (to wit:
11 oral to genital sexual intercourse, masturbation, and lascivious exhibition of the
12 genitals and pubic area), for the purpose of producing a visual depiction of such
13 conduct, which visual depiction was produced using materials that have been
14 mailed, shipped, and transported in and affecting interstate and foreign commerce
15 by any means, including by computer, all in violation of 18 U.S.C. § 2251(a)
16 and (e).

17 **COUNT 33**

18 On or about October 17, 2014, in the Eastern District of Washington,
19 Defendant, CRAIG ALLEN MORGENSTERN, did knowingly attempt to
20 employ, use, persuade, induce, entice, and coerce a minor, "Victim D", who had not
21 attained the age of 18 years, to engage in sexually explicit conduct, as defined in
22 18 U.S.C. § 2256(2)(A) (to wit: oral to genital sexual intercourse, masturbation, and
23 lascivious exhibition of the genitals and pubic area), for the purpose of producing a
24 visual depiction of such conduct, which visual depiction was produced using
25 materials that have been mailed, shipped, and transported in and affecting interstate
26 and foreign commerce by any means, including by computer, all in violation of 18
27 U.S.C. § 2251(a) and (e).
28

COUNT 34

On or about October 12, 2004, and continuing through October 18, 2014 in the Eastern District of Washington and elsewhere, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly receive any child pornography, as defined in 18 U.S.C. § 2256(8), the production of which involved the use of a minor engaging in sexually explicit conduct; that has been shipped or transported in or affecting interstate or foreign commerce by any means, including by computer; all in violation of 18 U.S.C. § 2252A(a)(2) and (b).

COUNT 35

On or about October 18, 2014, in the Eastern District of Washington, Defendant, CRAIG ALLEN MORGENSTERN, did knowingly possess material which contained one or more visual depictions of child pornography, as defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of a minor who had not attained 12 years of age engaging in sexually explicit conduct, and which visual depictions were of such conduct; that has been mailed, shipped and transported in interstate and foreign commerce, and which was produced using materials which had been mailed, shipped, or transported in interstate and foreign commerce, by any means including computer, all in violation of 18 U.S.C. § 2252A(a)(5)(B).

NOTICE OF FORFEITURE ALLEGATIONS

1. The allegations contained in Counts 1 - 35 of this Third Superseding Indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 2253, 2428.

2. Upon conviction of the offense(s) alleged in Counts 1 - 25, 27, 29 - 35, of this Third Superseding Indictment, in violation of 18 U.S.C. §§ 2241, 2251, 2252A, the Defendant, CRAIG ALLEN MORGENSTERN, shall forfeit to the United States, pursuant to 18 U.S.C. § 2253, any visual depiction described in section 2251, 2251A,

1 2252, 2252A, 2252B, or 2260 of this chapter or any book, magazine, periodical, film,
2 videotape, or other matter which contains any such visual depiction, which was
3 produced, transported, mailed, shipped or received in violation of this chapter; any
4 property, real or personal, constituting or traceable to gross profits or other proceeds
5 obtained from such offenses; and, any property, real or personal, used or intended to
6 be used to commit or to promote the commission of such offenses, or any property
7 traceable to such property.

8 The property to be forfeited includes, but is not limited to, the following:

9 SALE PROCEEDS

10 -Sale proceeds in the amount of \$32,163.86 from the interlocutory
11 sale of real property known as 13103 West Shore Road, Nine Mile
12 Falls, Washington.

13 REAL PROPERTY

14 -All that lot or parcel of land, together with its buildings, appurtenances,
15 improvements, fixtures, attachments and easements, known as 18225
16 North Astor Court, Colbert, Washington, legally described as follows:

17 Lot 21, Block 1, Parker Estates, according to the plat thereof recorded
18 in Volume 31 of Plats, Page(s) 28 and 29, Records of Spokane
19 County, Washington.

20 Situate in the County of Spokane, State of Washington

21 Assessor's Parcel Number(s): 37203.2921

22 DIGITAL DEVICES/COMPUTERS/PERIPHERALS

23 -Any and all digital devices and peripherals, computers, external hard
24 drives, iPads, phones, and cameras, including but not limited to the
25 following listed assets:

- 26 1) Olympus Stylus 1030SW camera, 10.1 MegaPixels, Serial
27 Number: G13511683;
28

- 1 2) Sony Cyber Shot DSC-W1 camera with tele conversion lens, Serial
2 Number: 762958;
- 3 3) HP Pavilion p7-1467c CPU tower, Serial Number: MXU24202X1;
- 4 4) SimpleDrive, Model 96300-40001-001, Sticker # M053345,
5 External Hard Drive;
- 6 5) Seagate Backup Plus, Model SRD0SD0, Serial Number:
7 NA5KXXK2, 3TB external hard drive;
- 8 6) Sixty (60) Disks: 10 with graphics on disk, 50 plain or with hand
9 written notations;
- 10 7) One Black Maxtor External Hard Drive, OneTouch 4, 750 GB,
11 Serial Number: 2HA1T00G;
- 12 8) One Green Maxtor External Hard Drive labeled "Music Files"
13 OneTouch III, 320 GB, EDA # TA320G0847161;
- 14 9) One Western Digital External Hard Drive, Model: WD2500XMS-
15 00, Serial Number: WXEY07V49344;
- 16 10) One Western Digital External Hard Drive with case, My Passport
17 Ultra, Serial Number: WX61A83Y1677;
- 18 11) One Western Digital External Hard Drive w/ broken hard cover,
19 My Passport, Serial Number WXP1AB036352;
- 20 12) One SmartDisk Firelite External Hard Drive, Model: USBFLB40-
21 C, Lot # MH6112, 40GB;
- 22 13) Acer Aspire X1700 desktop computer, Serial Number:
23 PTSBF0X019913061013000;
- 24 14) Western Digital "My Passport" external hard drive, Serial Number:
25 WX51C62L0372, with case and cord;
- 26 15) Canon EOS 40D digital camera with no lens, Serial Number:
27 0720512710;
- 28

1 3. If any of the above-described forfeitable property, as a result of any act or
2 omission of the Defendant:

- 3 (a) cannot be located upon the exercise of due diligence;
4 (b) has been transferred or sold to, or deposited with, a third party;
5 (c) has been placed beyond the jurisdiction of the court;
6 (d) has been substantially diminished in value; or
7 (e) has been commingled with other property which cannot be divided
8 without difficulty;

9 it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by
10 18 U.S.C. § 2253(b) and by 28 U.S.C. § 2461(c), to seek forfeiture of any other
11 property of said Defendant up to the value of the forfeitable property described above.

12 4. Upon conviction of the offense(s) alleged in Counts 26 and 28 of this
13 Third Superseding Indictment, in violation of 18 U.S.C. § 2423, the Defendant,
14 CRAIG ALLEN MORGENSTERN, shall forfeit to the United States, pursuant to 18
15 U.S.C. § 2428, any property, real or personal, that was used or intended to be used to
16 commit or to facilitate the commission of such violation; and any property, real or
17 personal, constituting or derived from any proceeds obtained, directly or indirectly, as
18 a result of such violation.

19 The property to be forfeited includes, but is not limited to, the following:

20 SALE PROCEEDS

21 -Sale proceeds in the amount of \$32,163.86 from the interlocutory
22 sale of real property known as 13103 West Shore Road, Nine Mile
23 Falls, Washington.
24
25
26
27
28

REAL PROPERTY

-All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known as 18225 North Astor Court, Colbert, Washington, legally described as follows:

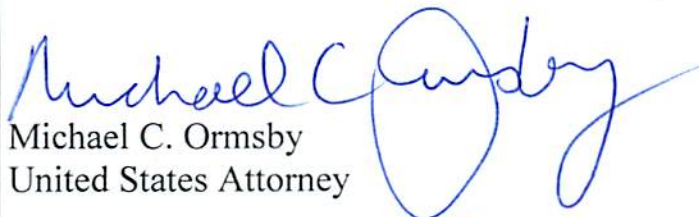
Lot 21, Block 1, Parker Estates, according to the plat thereof recorded in Volume 31 of Plats, Page(s) 28 and 29, Records of Spokane County, Washington.

Situate in the County of Spokane, State of Washington

Assessor's Parcel Number(s): 37203.2921

DATED this 5 day of January, 2016.

A TRUE BILL


Michael C. Ormsby
United States Attorney


Stephanie J. Lister
Assistant United States Attorney


James A. Goeke
Assistant United States Attorney